

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

EXPRESS MAIL CERTIFICATE

I hereby certify that I am mailing the attached documents to the Commissioner for Patents on the date specified, in an envelope addressed to the Commissioner for Patents, Box PCT, Washington, DC 20231, and Express Mailed under the provisions of 37 CFR 1.10.

Lee Ann Brown
Lee Ann Brown

Lee Ann Brown

August 14, 2002

Date

EL 544951520 US
Express Mail Label Number

**RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE
FOR U.S. PATENT APPLICATION NO. 09/914,549**

Commissioner for Patents
Box PCT
Washington, DC 20231

Sir:

Responsive to the July 26, 2002 Notification of Defective Response, the following documents are enclosed and submitted herewith:

- 1) Statement of Identity
- 2) Sequence Listing (paper copy & diskette)
- 3) Copy of July 26, 2002 Notification of Missing Requirements

Applicant is submitting herewith a replacement computer readable disk containing the sequence disclosed in the present application. The original sequence listing was submitted in Patentin 2.0, a format that provides for a nucleotide sequence and corresponding amino acid sequence combined under a single sequence identifier. Applicant is resubmitting the amino acid sequence in the Patentin 3.1 format which is similar. As such, applicant is requesting that the Sequence Listing submitted herewith replace the copy of Patentin 2.0 sequence listing originally submitted. Applicant states that the sequences are identical but in a different version of Patentin software and that no new matter has been introduced in the sequence listing submitted herewith.

No fee is required in connection with this response.

Respectfully submitted,



Marianne Fuierer
Reg. No. 39,983
Attorney for Applicants

INTELLECTUAL PROPERTY/
TECHNOLOGY LAW
P.O. Box 14329
Research Triangle Park, NC 27709
Telephone: (919) 419-9350
Fax: (919) 419-9354
Attorney Ref: 4121-129

COPY

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/914,549	Annemarie Poustka	4121-129
INTERNATIONAL APPLICATION NO.		PCT/DE00/00583
LA. FILING DATE		PRIORITY DATE
02/28/2000		02/26/1999

Steven J. Hultquist
 Intellectual Property/Technology Law
 P.O. Box 14329
 Research Triangle, NC 27709

CONFIRMATION NO. 9711
371 FORMALITIES LETTER



OC00000008513291

Date Mailed: 07/26/2002

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Indication of Small Entity Status
- Priority Document
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Small Entity Statement

"2 2d 6/2"

Response due: 8/26/02
DH

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the

computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."

- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- **APPLICANT MUST PROVIDE:**
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
 - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
 - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov
- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 305-3736

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/914,549	PCT/DE00/00583	4121-129

FORM PCT/DO/EO/916 (371 Formalities Notice)